

### REMARKS

The Final Office Action mailed April 1, 2009 has been reviewed and carefully considered. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

Claims 1-20 are pending in this application. Claims 1, 8 and 14 have been amended. No new matter has been added.

### §103 REJECTIONS

Claims 1-14 and 16-17 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wasilewski (US 2006/0161956) in view of U.S. Patent Application No. 2009/0044226 to Ellis et al. (hereinafter Ellis '226). Applicant respectfully disagrees with the rejections and has made amendments to further clarify the distinguishing features of the present invention over the cited references.

Namely, independent claim 1 has been amended to recite, *inter alia*:

“...wherein the reminder customizer includes a reminder options feature for permitting a user to indicate at least one of a plurality of devices on which the reminder is to appear, and enabling the user to select at least one device on which the reminder is designated to appear which is not capable of receiving the broadcast programming event;...”

Independent claim 8 has been amended to recite, *inter alia*:

“...said user interface providing a reminder options feature for permitting a user to indicate at least one of a plurality of devices, capable of displaying the programming event, on which the reminder is to appear, and enabling the user to select at least one

device on which the reminder is designated to appear which is not capable of receiving the broadcast programming event;...”

Independent claim 14 has been amended to recite, *inter alia*:

“...a reminder options feature for enabling a user to indicate at least one programming event for which a reminder is desired, for permitting a user to select at least one device for displaying the reminder at that device, and for enabling the user to select at least one device on which the reminder is designated to appear which is not capable of receiving the broadcast programming event; ...”

These amendments are supported by the specification, e.g., on page 6, lines 30-35.

Wasilewski involves a system and method for managing user-defined settings, such as reminder messages for reminding the user of upcoming television programs, in a television system. Reminder messages are scheduled by the user via a first digital home communication terminal (DHCT or set top box) which transmits a reminder request to a second DHCT.

While Wasilewski discusses wherein a user may designate one or more locations where a reminder may be provided for a television program, the reminders are limited to being provided at various DHCTs (set top boxes). Namely, paragraphs [0109] and [0110] recite:

“...A Reminder Location menu 801 provides the user with reminder location options 802-804. These options 802-804 allow a user to designate one or more locations where a reminder may be provided for a desired television program.

A user may selection option 803 to schedule a reminder that is to be provided by a DHCT (e.g., DHCT 200-1) that is driving the television that the user is currently viewing. A user may alternatively select option 802 in order to schedule a reminder that is to be provided by another DHCT (e.g., DHCT 200-2) located remotely or at the customer premises (i.e., a DHCT that is not driving the television that the user is currently viewing). **If the user desires that a reminder be provided at more than one location (e.g., via DHCT 200-1 and DHCT 200-2), then the user may select option 804 which results in a reminder being provided**

**by a plurality of DHCTs located at the customer premises.** Alternatively, the user may enter identification information for each respective DHCT 200 for which the user wishes to transmit the reminder or applicable information.”  
[emphasis added]

However, Wasilewski fails to disclose or suggest enabling a user to select at least one device on which the reminder is designated to appear which is not capable of receiving the broadcast programming event, essentially as claimed in claims 1, 8 and 14. Advantageously, the present invention enables the user to schedule reminders to appear on not only certain televisions in the household but also on devices other than the set top boxes/televisions in the household, e.g., such as cell phones, PDAs and the like. This provides a streamlined system for enabling users to receive program reminders at desired TVs in the home, or on certain non-TV devices outside of the home.

Applicant respectfully submits that Ellis ‘226 fails to cure the deficiencies of Wasilewski. Ellis ‘226 teaches an interactive program guide system that allows a user to adjust the user setting of a plurality of program guides at different user television equipment devices within a household from a single location (set top box). That is, the system coordinates the operation of the television program guides so that the program guide settings that were adjusted with the given interactive television program guide are used by the other interactive television program guides.

Ellis ‘226 mentions that a reminders feature may be provided allowing a user to set a reminder for a television program, which may be displayed on the user’s TV screen just before the TV program is to be broadcast. Ellis ‘226 also discusses that the user may select desired program guide locations to which reminder are to be applied. However, such varied locations are program guide locations (i.e., set top box locations) within a household only. See paragraph [0010], reciting *inter alia*: “Each piece of user television equipment may be

located in a different part of the home...” and paragraph [0111] reciting *inter alia*: “If set reminder screen 350 is not cancelled, the user selects the program guide locations (i.e., the locations of the various user television equipment devices within the household) to which the adjustments are to be applied by selecting apply to all option 205, current location option 209, or by selecting the select locations option 206...”

Ellis ‘226 is silent with respect to enabling user to designate non-TV devices on which the reminder is to appear. Indeed, Ellis ‘226 fails to disclose or suggest at least enabling the user to select at least one device on which the reminder is designated to appear which is not capable of receiving the broadcast programming event, essentially as claimed in claims 1, 8 and 14.

Accordingly, claims 1, 8 and 14 are asserted to be patentable and nonobvious over Wasilewski and/or Ellis ‘226 for at least the reasons stated above. Claims 2-7, 9-13 and 15-17 depend from claims 1, 8 and 14, respectively. The dependent claims include the limitations of their respective independent claims and are therefore believed to be patentable and nonobvious for at least the reasons stated for claims 1, 8 and 14.

Claim 15 was rejected under 35 U.S.C. 103(a) as being unpatentable over Wasilewski (US 2006/0161956) in view of Ellis ‘226 and further in view of Ellis et al. (US 2005/0235322), hereinafter Ellis ‘322. Claims 18-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wasilewski (US 2006/0161956) in view of Ellis ‘226 and further in view of Knudson et al. (US 2008/0184313), hereinafter Knudson.

The rejection of claims 15 and 18-20 is based, in part, on the contention that Wasilewski and/or Ellis ‘226 disclose or suggest the features of claims 1, 8 and 14, from which such claims depend. However, it is clear that the combination of Wasilewski

and/or Ellis '226 with Ellis '322 and/or Knudson is legally deficient, since, at the very least, as explained above, Wasilewski and/or Ellis '226 do not disclose or suggest the features of presently amended claims 1, 8 and 14 from which claims 15 and 18-20 depend.

Accordingly, withdrawal of all the rejections and early and favorable reconsideration of this application is respectfully requested.

**CONCLUSION**

In view of the foregoing, Applicant respectfully requests that the rejections of the claims set forth in the Final Office Action of April 1, 2009 be withdrawn, that pending Claims 1-20 be allowed, and that the case proceed to early issuance of Letters patent in due course.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 07-0832.

Respectfully submitted,

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